

UNITED STATES BANKRUPTCY COURT  
District of New Jersey

Caption in Compliance with D.N.J. LBR 9004-1(b)

Albert Russo  
Cn 4853  
Trenton, NJ 08650  
(609) 587-6888

In re:

Rogerio M Andre

Debtor(s)



Order Filed on February 15, 2018  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

Case No.: 16-11668 / CMG

Hearing Date: 02/07/2018

Judge: Christine M. Gravelle

Chapter: 13

### ORDER CONFIRMING MODIFIED CHAPTER 13 PLAN

The relief set forth on the following pages, numbered two (2) through three (3) is **ORDERED**.

**DATED: February 15, 2018**

Honorable Christine M. Gravelle  
United States Bankruptcy Judge

Case 16-11668-CMG Doc 105 Filed 02/17/18 Entered 02/18/18 00:36:05 Desc  
Imaged Certificate of Notice Page 2 of 4  
The modified plan of the debtor having been proposed to creditors, and a hearing having been held on  
the confirmation of such modified plan, and it appearing that the applicable provisions of the Bankruptcy  
Code have been complied with; and for good cause shown, it is

**ORDERED** that the modified plan of the above named debtor, dated 12/23/2017, or the last amended  
plan of the debtor be and it is hereby confirmed. The Standing Trustee shall make payments in  
accordance with 11 U.S.C. § 1326 with funds received from the debtor.

**ORDERED** that the plan of the debtor is confirmed to pay the Standing Trustee for a period of 37  
months.

**ORDERED** that the debtor shall pay the Standing Trustee, Albert Russo, based upon the following  
schedule, which payments shall include commission and expenses of the Standing Trustee in accordance  
with 28 U.S.C. § 586:

\$20,123.00 PAID TO DATE  
\$717.00 for 1 month beginning 2/1/2018  
\$958.00 for 12 months beginning 3/1/2018

**ORDERED** that the case is confirmed to pay 100% dividend to general unsecured creditors.

**ORDERED** that the Standing Trustee shall be authorized to submit, ex parte, an Amended  
Confirming Order, if required, subsequent to the passage of the claims bar date(s) provided under Fed.  
R. Bank. P. 3002.

**ORDERED** that the debtor's attorney be and hereby is allowed a fee pursuant to the filed 2016(b)  
Statement. Any unpaid balance of the allowed fee shall be paid to said attorney through the Chapter 13  
plan by the Standing Trustee.

Case 16-11668-CMG Doc 105 Filed 02/17/18 Entered 02/18/18 00:36:05 Desc  
Imaged Certificate of Notice Page 3 of 4

**ORDERED** that if the debtor should fail to make plan payments or fail to comply with other plan provisions for a period of more than 30 days, the Standing Trustee may file, with the Court and serve upon the Debtor and Debtor's Counsel, a Certification of Non-Receipt of Payment and request that the debtor's case be dismissed. The debtor shall have fourteen (14) days within which to file with the Court and serve upon the Trustee a written objection to such Certification.

**ORDERED** that to the extent Section 7 of the debtor's plan contains motions to avoid judicial liens under 11 U.S.C. § 522(f) and/or to avoid liens and reclassify claims in whole or in part, such motions are hereby granted, except as specified below:

NO EXCEPTIONS

**ORDERED** that upon completion of the plan, affected secured creditors shall take all steps necessary to remove of record any lien or portion of any lien discharged.

**ORDERED** that the Standing Trustee is authorized to pay post-petition claims filed pursuant to 11 U.S.C. § 1305(a), in the amount filed by the post-petition claimant.

**ORDERED** as follows:

AN AMENDED PROOF OF CLAIM SHOWING ZERO ARREARS OF MTGLQ INVESTORS/SHELLPOINT MORTGAGE, COURT CLAIM 11-1, MUST BE FILED WITHIN 30 DAYS OF CONFIRMATION.

In re:  
Rogerio M Andre  
Debtor

Case No. 16-11668-CMG  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Feb 15, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 17, 2018.

db Rogerio M Andre, 41 Sunset Ave, Old Bridge, NJ 08857-1268

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center. NONE.

TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Feb 17, 2018

Signature: /s/Joseph Speetjens

---

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 15, 2018 at the address(es) listed below:

Albert Russo on behalf of Trustee Albert Russo docs@russotrustee.com

Albert Russo docs@russotrustee.com

Alexandra T. Garcia on behalf of Creditor Ditech Financial LLC, as authorized servicer for Fannie Mae, as owner and holder of account/contract originated by BANK OF AMERICA NJECFMAIL@mwc-law.com

Andrew L. Spivack on behalf of Creditor DITECH FINANCIAL, LLC nj.bkecf@fedphe.com

Denise E. Carlon on behalf of Creditor MTGLQ INVESTORS, L.P. dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com

Harvey I. Marcus on behalf of Debtor Rogerio M Andre him@lawmarcus.com

Sean M. O'Brien on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS THE TRUSTEE FOR THE BENEFIT OF THE CERTIFICATEHOLDERS OF THE CWHEQ INC., HOME EQUITY LOAN ASSET-BACKED CERTIFICATES, SERIES 2006-S2 sobrien@flwlaw.com

TOTAL: 7